

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TROY DON SHEPPARD,

Defendant.

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Case No. CR-19-335-F


ORDER

This matter is before the Court on defendant Troy Don Sheppard's Unopposed Motion for a Combined Plea and Sentencing Proceeding pursuant to LCrR11.1. The Court finds the unopposed motion should be granted. Mr. Sheppard has indicated his desire to enter into a plea agreement and enter a plea of guilty to four of the charges in the Indictment. Counsel for Mr. Sheppard requests his client be permitted to continue on conditions of release before entering a plea of guilty and being sentenced. A combined plea and sentencing procedure will provide Mr. Sheppard the opportunity to continue his progress on conditions of release, including remaining employed, while at the same time beginning the presentence investigation and report process.

The Court directs the United States Probation Office to conduct a presentence investigation and prepare a Presentence Report concerning the offense and this offender. The trial and further proceedings in this matter are continued pending receipt of the Presentence Report by the Court and the scheduling of a combined plea and sentencing hearing. The Speedy Trial Act gives a court the discretion to "accommodate limited delays

for case-specific needs.” *United States v. Zedner*, 547 U.S. 489, 499 (2006). The facts of this case as set forth in the unopposed motion justify an ends of justice determination that a continuance of the trial and further proceedings until the completion of a presentence investigation and Presentence Report “outweighs the best interest of the public and the defendant in a speedy trial.” *United States v. Toombs*, 574 F.3d 1262, 1273 (10th Cir. 2009), *citing* 18 U.S.C. §3161(h)(7)(A). Further, the Court finds the period of delay caused by the granting of this motion is excludable for purposes of the Speedy Trial Act, Title 18, United States Code, §3161(h)(7)(A).

Signed this the 28th day of April, 2020.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE